uries - 1922

FOUND NO NEGRO ON JURY ----CASE REVERSED.

Dallas Tex. Express 2/4/22

Austin, Texas, Feb. 2.—The case of Charles Bradford, convicted in the Thirty-Seventh District Court of Bexar County of assault to murder and sentenced to seven years, is to be carried before the United States Supreme Court for final decision, the Court of Criminal Appeals having granted Brandford's application for a writ of error. The Court of Criminal Appeals recently affirmed the judgment of the trial court.

Bradford alleges that he was deprived of his rights and privileges provided in Section 1 of the fourteenth amendment to the Constitution of the United States in that "no members of his race and color were permitted or allowed to serve or sit upon the grand jury which found and presented the indictment against him, but members of the Negro race were excluded because of their race and color and for no other reason." He further alleges that all members of the Negro race were so excluded and have been intentionally excluded and prevented from serving on grand juries in the Bexar County District Court for a period of many years, and that "the members of the Negro race have been discriminated against thereby for many years in violation of the first section of the fourteenth amendment to the Constitution of the Unittd States, and which discrimination was and amounted to a denial to appellant of the equal protection of the laws guaranteed to him by the Constitution of the United States."

Attorney General W. A. Keeling announced that the case would be contested, that either Assistant Attorney General R. G. Story in attendance upon cases in the Court of Crminal Appeals or a staff would be present when the hearing is given by the United States Supreme Court.

MILTON PA STANDARD
FEBRUARY 21, 1922

COLORED MEN WANT TO DO JURY DUTY

(Contributed)

Sir:—In dropping this note to you for publication I would like to say that we, the colored voters and tax payers of Milton, Northumberland county, are satisfied that we are not drawn for jury duty in said county, not on account of our color but we think we would be too honest After reading in the various county papers of the various murders and then to see where twelve men doing jury duty gave a murderer his liberty those men ought to be ashamed to ever go inside of a court house, where justice is to be had. Now we are not aliens nor do we have to take out papers to become American citizens. We are natural born Americans. Now we are going to see if this county can prohibit the negro from serving in said county as jurymen. We were not barred in the World War. Oh, no. and we acquitted our selves honorably.

We thank you our good friends for the dirty deals we are receiving over this jury question.

(Signed) Colored Voters of Milton Pa.

RACE WOMEN ON JURY

Topeka Kansas Plain Dealer 3/10/22

Two colored women of Topeka, Miss Missouri Benning and Mrs. L. E. Harris, are now sitting on the jury in the district court. Mrs. Harris, is one of the most prominent women in the city and the mother of Alderman George Harris, of New York City. We are proud to note that the race by degrees is being given more consideration.

ST. LOUIS MO. POST DISPATCH
APRIL 17, 1922

RACIAL ISSUE RAISED IN JURY CHALLENGE IN MURDER CASE

A motion that the jury panel in the case of Spencer Jordan, negro slayer of Patrolman Michael Finn, be dismissed because it is composed exclusively of white men, was filed by negro attorneys, representing Jordan, in Circuit Judge Killoren's court today. The motion will be argued.

In the motion, it is alleged the panel was not properly selected, according to the statutes, because the chief jury clerk either did not place names of negroes in the wheel, or that if they were put in the wheel, they were not placed before the court after they had been turned out.

It is pointed out in the motion that Jordan, a negro, is accused of killing a white man. Jordan could not receive a fair trial at the hands of a jury composed exclusively of white men, the motion sets forth.

Ohio Perhaps First to Have Trial Before all Colored Jury

The Call Cleveland 4/22/20

(Associated Negro Press)

HAMILTON, Ohio, June 16.—What is believed to be the first case in the county, possibly the entire country ever tried before a jury composed entirely of colored people, began in Judge Clarence Murphy's court Friday morning.

It was a paternity case brought by Clara Patterson, colored, of Middletown, against Charles Gates, colored, also of Middletown. The plaintiff is represented by Attorney John A. Crist of Middletown and P. P. Boli of Hamilton represents Gates.

The situation is regarded unusual in court history. The regular petit jury was needed in a criminal case in Judge Walter Harlan's court and in issuing for a special venire to try this case, orders were given to summon colored people.

Eighteen were called, six of whom were excused from service. The jury is composed entirely of men. On the jury are Charles Conway, Frank Hogan, Alfred Nixon, Charles Howard, Frank Berry, George Kelley, Sam Lee, Horce Preston, George Reece, Alfred Bates, B. M. Fox, Peff Hodges. All of the jurors are from Hamilton.

It is the first time within the memory of present court officials that a jury in any case has been composed entirely of colored people.

Jury Composed Of Colored Men

(By Associated Negro Press.)

Cleveland Gazette 6/19/20

Hamilton, Ohio., June 14—What is believed to be the first case in the county, possibly the entire country ever tried before a jury composed entirely of colored people, began in Judge Clarence Murphy's court Friday morning.

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NEGRO JURY FOREMAN IN 8TH DIST. COURT

New York Age 5/27/22

John Slitt, stationer, of 41 East 133rd street, a colored man, was sworn in as foreman of a jury in the Eighth District Court, 121st street and Sylvan place, under Justices Prince and Marks.

This, it was said by veteran court attendants, was the first time in the history of the Eighth District that a colored man has been made a jury foreman.

The court calendar is congested, according to a statement by Chief Clerk Wilson, many commercial and negligence cases, based on automobile accidents, being on the docket. These cases are constantly on the increase.

Method of Procuring Speedy and Impartial Trials Is Suggested

Atlanta Constitution 5/31/22

Editor Constitution: The interview with Senator [illegible] in yesterday's Constitution should challenge the attention of all thoughtful people.

The constitution of the state guarantees to every person charged with crime a speedy and impartial trial. Growing out of this guaranteed right in the accused is the correlative right in the public to have the alleged offender against its laws speedily disposed of by an impartial trial resulting either in a conviction or an acquittal as the truth of the case demands.

The law's delay is an evil of no modern origin. It has been inveighed against through the centuries by jurists, scholars and poets.

The recent utterance of a fair and intelligent committee of the American Bar association calls attention to it as a nation-wide evil. The delay of the law, so-called, is in its last analysis the delay of a lawyer or the delay of a judge. The ultimate responsibility is upon the judge. The lawyer is an officer of the court, under the control of the judge to the extent that the statutes and rules of practice give him authority.

There can be no delay by the lawyer except with the express or tacit approval of the judge. The judge is the best informed person as to whether statutes or rules of practice are so framed as to admit of undue delay.

Hence where there is a movement to correct defects in procedure it is wise to take the advice and opinion of the judge, the one who is closest to the administration of the law and the one to whom the public looks for due, orderly and timely administration.

I wish to submit a suggestion as to the method of arriving at a conclusion as to where the present procedure needs amendment or change.

In this suggestion there is a recognition that procedure is derived from two sources, statutes and rules of practice. Of course the courts are bound by statutes regulating procedure, but the far larger field of procedure is unoccupied by statute and the court can function by rule in this unoccupied field until the lawmaking power declares otherwise. The suggestion is this, let the general assembly by statute provide for a commission composed of judges, appointed by the chief justice, two justices of the supreme court, two judges of the court of appeals and four judges of the superior court, to recommend to the supreme court rules of practice to be followed by the supreme court, the court of appeals and the superior court in the trial and disposition of criminal cases.

Let this commission report to the supreme court and that court promulgate the rules thus reported with such changes as the supreme court shall deem wise.

The report of the commission and the rules promulgated should occupy the field of practice now unoccupied by statute to the fullest extent. Let the commission and the supreme court also recommend any changes in statutes that they deem wise and expedient, the chief justice to make report of such recommendations to the governor to be laid before the general assembly.

The rules of practice thus formulated would go into effect immediately upon promulgation. Changes in statutes would go into effect when the general assembly acts.

It is possible that the general assembly might authorize the supreme court to alter statutes in some particulars, that is, in those instances where statutes are really rules of practice.

I would not have upon the commission others than judges in commission. The commission and the supreme court could and no doubt would take into consultation members of the bar who are interested in the reform of procedure. If this plan is adopted many defects may be at once removed, and in due time others would disappear under legislative enactment.

The delays in administration of justice that have occurred seems to the honest and thoughtful lay mind inexcusable, and even the professional mind is often disturbed by them.

I would not withdraw one of the real safeguards of liberty that has become imbedded in our constitutions but let not those safeguards be abused by the accused and his adroit counsel so as to work a defeat of justice and cheat the law.

ANDREW J. COBB.

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 15

OLYMPIA WASH OLYMPIAN
APRIL 13, 1922

EER OF THE BLACK MAN

"A jury of his peers" acquitted Henry Roberts of Olympia Saturday evening of the charge of assault upon a girl 17 years old.

It was, in truth, a jury of Roberts' peers.

A fat negro stood out in the group of 12 who sat in the time-honored and once hallowed jury box. The fat negro was Roberts' peer. At least that. The fat negro's record was not besmeared with guilt of trafficking in women, innumerable minor crimes and eel-like escapes from the law. The fat negro probably looks upon life and civilized habits through a negroe's eyes, but it was no compliment to him to be legally styled "peer" in this case.

Roberts is known in Olympia. His record shows a term of several years in state's prison for trafficking in women. His record shows he is the acquaintance of lewd women. His record shows he is a clever ex-convict who successfully eludes the law, pleads his own cases in court and "gets away with it."

His record shows he broke jail in Thurston county while awaiting hearing of his appeal from sentence after being found to be a dealer in the bodies and souls of women, with Chinese as the purchasers, and that his partner in the escape was "Jack" Gillies, absconding state industrial insurance claim agent who stole more than $20,000, and is now in the penitentiary.

His record shows that the woman who appeared on the witness stand in his defense was convicted of perjury as the result of her testimony.

He has gained skill and experience in crime and in dodging punishment.

His record shows the negro is his peer, but that he excels the negro in cunning. His record shows he has been arrested for interfering with the police and for other crimes and that he has faced courts many times and slipped from custody by smooth and suave practices. He is freer today than a hard working mother striving to rear her daughter to be an honest and pure woman.

Among his "character witnesses" were "characters" of local notoriety—women who have figured prominently in events immediately preceding a kidnapping and robbery and who have been jailed often.

And "Babe" Keith and Effie Robinson swore in court of the little 17-year-old:

"Oh, her reputation is about the same as ours."

Other witnesses then revealed the characters of Fern Keith and Effie Robinson, and the poor little 17-year-old who may never know whether her blood is clean again was denied any redress.

She was put on the plane of Effie Robinson and of "Babe" Keith.

The law says a girl under age is a minor and attempts to shield her until her will is developed. The law says she should be protected.

Witness how she was protected.

Henry Roberts said to the jury in effect, though perhaps in coarser words:

"Is the man who first caused her downfall guilty or is the man who was caught with her a few months afterward?"

He goes free.

The young girl is forever shackled with shame.

She is classed with the woman Effie Robinson, who explained to the police of Olympia last winter that she took a roll of bills from Francis R. LeMeaux of the Bordeaux lumber camp "to take care of it" on a joy-ride and after the party that followed she awoke from a stupor in a clothes closet of the cabin in which the party was staged and found that her stocking had been pulled down and the money taken from it.

The jury finds Roberts not guilty.

The black man was a peer in the jury.

NAMES DRAWN FOR GRAND JURY TO LOOK INTO OFFICERS' DEATHS

Body Will Convene on November 6 When Sansom and Wilson Killings Will Be Investigated

Montgomery Advertiser 10-18-22

When the Montgomery county grand jury convenes on November 6 investigations will be made into the killing of Policeman Albert Sansom and Game Warden George Wilson by negroes a short time ago. Names from which the grand jury will be selected were drawn Tuesday by Judges Leon McCord and Walter B. Jones. Hearing of the criminal docket in the circuit court will begin on Monday, November 13, following the session of the grand jury.

Joe Terrell, negro, alleged murderer of Game Warden Wilson, is in the Jefferson county jail at Birmingham for safe keeping. Jim Glenn, the negro who shot and instantly killed Policeman Sansom, is still at large and the officers are without a clue to his whereabouts. Efforts are still being made to locate him, but the search thus far has been unsuccessful.

It was indicated soon after the capture of Terrell that a special session of the grand jury would be called. However, the negro was removed to Birmingham the day after his arrest and in view of the nearness of the date for the regular session of the grand jury, the call for a special investigation was deferred.

With November 6 less than three weeks away, it is now a practical certainty that the inquiry into the alleged murder committeed by Terrell will not be taken up by the grand jury until that time. If Jim Glenn, the slayer of Policeman Sansom, had been captured near the time of Terrell's apprehension the probabilities are that a special term of the grand jury would have been ordered for a concurrent investigation into both cases.

Terrell will probably be placed on trial in Montgomery in November. The trial of criminal cases is scheduled to start a week after the grand jury convenes and Terrell's case will likely be set for some time during the month. He will remain in the Jefferson county jail until his arraignment.

N. Y. TELEGRAM
OCTOBER 28, 1922

SCORES JURYMEN FOR FREEING MAN

Judge Talley Shocked When Negro Is Acquitted on Charge of Murder.

Judge Alfred J. Talley declared that we lead the world in crime, particularly in murder, because juries fail to convict the guilty, after a jury in General Sessions, had acquitted Charlse S. Warfield, a negro of No. 126 West 139th street, charged with murder.

"The verdict shocks and appals this court," said Judge Talley.

Warfield was on trial for the killing of James Goodwin, negro superintendent of an apartment house at No. 3,099 Broadway in August last. His plea was self-defence. For two years prior to the killing Warfield had lived with Goodwin's daughter, who was the wife of Warfield's half-brother. When the foreman pronounced the verdict Warfield collapsed and had to be carried from the court.

Continuing in his remarks to the jury, Judge Talley said:—

"Here is the case of a decent, hard working man killed in his home at 5:3 o'clock in the morning by a man who went there for the precise purpose of killing him because he had been ordered to keep away from the home of the deceased.

"The responsibility is entirely yours not mine. I rejoice that no part of the responsibility attaches to me.

"This kind of verdict makes futile the efforts of the Police Department and the prosecuting officials in their efforts to protect law-abiding people."

GILBERT YOUNG WALKS FORTH A FREE MAN

Afro-American
11-10-22

Fearless Williams, First Colored Jury Foreman, Announces Verdict To Court

Baltimore, Md.

3 OTHER JURORS COLORED

No One Saw Crime and Testimony Was Conflicting

JURY OUR THREE HOURS

The case was given to the jury at 5 p. m., and it retired. After two hours' debate, the vote stood 10 to 2 for acquittal. All four colored jurors voted to acquit. At a little after eight the jurymen won over these two and ananounced a unanimous verdict for acquittal.

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